

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

Chambers of  
**André M. Espinosa**  
United States Magistrate Judge

Martin Luther King Jr. Federal  
Bldg. & U.S. Courthouse  
50 Walnut Street, Room 2037  
Newark, NJ 07102  
(973) 645-3827

February 19, 2025

To: Abraham Fata, Pro Se  
193200  
Lehigh County Jail  
38 North 4th Street  
Allentown, Pennsylvania 18102

All counsel of record

**LETTER OPINION AND ORDER**

RE: **Abraham Fata v. Bayonne New Jersey Board of Education, et al.**  
**Civil Action No. 24-9258 (CCC)(AME)**

Dear Litigants:

The Court has reviewed the November 13, 2024 letter filed by Plaintiff pro se Abraham Fata (“Plaintiff”), entitled “Motion to Commence” [D.E. 9]; as well as Plaintiff’s December 17, 2024 letter, entitled “Notice to Produce Documents” [D.E. 10]; Plaintiff’s December 26, 2024 letter, requesting production of documents and the status of various cases he has filed [D.E. 11]; Plaintiff’s December 31, 2024 letter, entitled “Motion to Compel Discovery Response” [D.E. 12]; and Plaintiff’s January 12, 2025 request for summons [D.E. 13].

By way of background, the Court received the Complaint on or about September 17, 2024. [D.E. 1]. The Court received Plaintiff’s application to proceed *in forma pauperis* on or around October 29, 2024. [D.E. 8]. That motion remains pending.

For various reasons, Plaintiff’s discovery-related requests, request to commence proceedings, and request for summons must be **DENIED** as premature. At a minimum, the Court must first decide whether to grant Plaintiff’s *in forma pauperis* application before the case, summons, or any discovery may proceed. Then, even if such request to proceed *in forma pauperis* is granted pursuant to 28 U.S.C. § 1915, the Court must still screen the Complaint before the case

may move forward. *See, e.g., Watson v. Berryhill*, No. 18-01019, 2018 WL 4016300, at \*1 (D. Nev. Aug. 21, 2018) (explaining that “[a]fter granting a request to proceed IFP pursuant to § 1915, federal courts must screen a complaint and any amended complaints before allowing a case to move forward, issuing summonses, and requiring a responsive pleading.”).

Accordingly, for these reasons, it is hereby **ORDERED** that Plaintiff’s various discovery-related requests, request for summons, and request to commence are **DENIED** without prejudice.

The Clerk of Court is directed to send a copy of this Order to Plaintiff at his address of record.

**IT IS SO ORDERED.**

/s/ André M. Espinosa  
**ANDRÉ M. ESPINOSA**  
**UNITED STATES MAGISTRATE JUDGE**